

**BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION**

In the Matter of the Revocation	)	
or Suspension of the Educator	)	<b>ORDER OF</b>
Certificate of Timothy L. Brumit,	)	<b>SUMMARY SUSPENSION</b>
Certificate 194953	)	

**SUMMARY OF THE CASE**

The South Carolina State Board of Education (State Board) considered this matter on February 13, 2008. In accordance with S.C. Code Ann. § 1-23-370(c) (2005), the State Department of Education (Department) requested that the State Board summarily suspend the educator certificate of Timothy Lynn Brumit, certificate 19453, as a result of his arrest on January 24, 2008, in Aiken, South Carolina. Mr. Brumit was charged with violating Title 18, United States Code, Section 2422(b), Enticement and Coercion of a Minor, and Title 18, United States Code Section 2252(a)(1), Transportation of Child Pornography as a result of an undercover investigation by the FBI. The Department has reason to believe that, due to the serious nature of the allegations of misconduct against him, Mr. Brumit poses a threat to the public health, safety, or welfare of students. After considering the evidence presented by the Department, the State Board voted to summarily suspend Mr. Brumit's educator certificate until a due process hearing is held and/or this matter is otherwise resolved. The Department is directed to serve notice on Mr. Brumit of the summary suspension, as well as the possible suspension or revocation of his educator certificate.

**FINDINGS OF FACT**

Mr. Brumit holds a professional educator certificate and has over eight years of teaching experience. Mr. Brumit was employed by Lexington School District Three (District) as an English teacher at Batesburg-Leesville High School. During the time between January 2, 2008 and January 20, 2008, it is alleged that Mr. Brumit was involved in various incidents where Mr. Brumit transmitted numerous

video and still images of boys engaged in sexually explicit conduct. On January 24, 2008, Mr. Brumit was arrested and charged with violating Title 18, United States Code, Section 2422(b), Enticement and Coercion of a Minor, and Title 18, United States Code, Section 2252A(a)(1), Transportation of Child Pornography. These allegations are based upon an investigation conducted by the FBI. As a result of these allegations and subsequent arrest, the State Board finds Mr. Brumit poses a threat to the public health, safety and welfare of students and that emergency action is required.

#### **CONCLUSIONS OF LAW**

"The South Carolina Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. § 59-25-150 (2004). Just cause includes unprofessional conduct, immorality, crime against the law of this State or the United States, any conduct involving moral turpitude and evident unfitness for position for which employed. S.C. Code Ann. § 59-25-160 (2004); 24 S.C. Code Ann. Regs. 43-58 (Supp. 2006). In accordance with S.C. Code Ann. § 1-23-370(c) (2005), "If the agency finds that public health, safety or welfare imperatively requires emergency action, and incorporates a finding to that effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action." The State Board finds that emergency action is required as there is reason to believe that Mr. Brumit poses a threat to the public health, safety and welfare of students. Accordingly, the State Board summarily suspends Mr. Brumit's educator certificate until a due process hearing is held and/or this matter is otherwise resolved.

South Carolina State Board of Education

By: 

Al Simpson, Chair

Columbia, South Carolina  
February 13, 2008